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10/043,719

01/09/2002

Piotr Jozef Drozdewicz

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03/13/2006

WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI,

P.C.

20333 SH 249

SUITE 600

HOUSTON, TX 77070

EXAMINER

JEAN GILLES, JUDE

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,719

Applicant(s)

DROZDZEWICZ ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed on 12/16/2005.

Response to Amendment

1. Claims 1-18 are cancelled. Claims 19-26 are pending. Claims 19-26 represent a ab internet based conference provision method that involves delivering unique URL and set time through Internet from a web browser of subscriber to each participant.”

Response to Arguments

2. Applicant's arguments with respect to claim 19 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the existing ground of rejection as explained here below.

The dependent claims stand rejected as articulated in the Previous Office Action and all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to “clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments to avoid such references or objections.”

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 19-23, and 25** are rejected under 35 U.S.C. 102(e) as being anticipated by Jonsson (Jonsson), Patent No. 6,272,214 B1.

Regarding **claim 19**, Jonsson discloses a method for establishing a conference between a subscriber and a participant the method utilizing a conferencing system and an Internet and comprising:

assigning a unique URL for the conference (column 3; lines 3-47);

providing the unique URL through the Internet to a web browser of the subscriber (column 3, lines 3-46; note the clicking on a URL inherently launches a web browser);

in response to the subscriber delivering the unique URL through the Internet to the participant and the participant clicking on the delivered URL (column 3, lines 3-46).

requesting identification information from the participant; and
connecting the participant to the conferencing system in response to the provided identification information (column 4, lines 1-26; column 5, lines 39-52; column 6, lines 9-27).

Regarding **claim 20**, Jonsson discloses the method of claim 19 wherein providing the unique URL occurs by emailing the unique URL through the Internet to the subscriber (column 3, lines 16-28; column 5, lines 7-38).

Regarding **claim 21**, Jonsson discloses the method of claim 19 wherein providing the unique URL comprises placing the unique URL on a web page such that the subscriber can copy the unique URL to the web browser of the subscriber (column 3, lines 16-28; column 5, lines 7-38).

Regarding **claim 22**, Jonsson discloses the method of claim 19 wherein the subscriber delivering the unique URL through the Internet to the participant by the subscriber emailing the unique URL to the participant (column 3, lines 16-28; column 5, lines 7-38).

Regarding **claim 23**, Jonsson discloses the method of claim 19 wherein the subscriber delivering the unique URL through the Internet to the participant occurs by the subscriber places the unique URL on a web page so that the participant can copy the URL to a web browser of each of the participant (column 3, lines 16-28; column 5, lines 7-38; column 6, lines 8-26).

Regarding **claim 25**, Jonsson discloses the method of claim 19 wherein the identification information comprises a telephone number (column 3, lines 16-28; column 5, lines 7-38).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 24, and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson, in view of Elliott et al (Elliott), U.S. Patent No: 6,690,654 B2.

Regarding **claim 24**, Jonsson teaches the invention substantially as claimed. Jonsson fully discloses the method for establishing a conference between a subscriber and a participant of claim 19. However, Jonsson fails to specifically teach a method for establishing a conference wherein the URL is a graphical icon.

In the same field of endeavor, Elliott discloses a method in which "... a URL push button (e.g. icon) that is provided ... and a agent that clicks the push button URL to open a browser's URL to the client.... " [see Elliott, *column 7, lines 13-25*].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Elliott's teachings of a URL as a graphical icon, with the teachings of Jonsson, for the purpose of "*allowing a mixture of modes including participation through for example, the Internet....*" as stated by Jonsson in lines 23-26 of column 2. By this rationale **claim 24** is rejected.

Regarding **claim 26**, the combination Jonsson- Elliott teaches ... the method of claim 25 wherein connecting comprises: dialing the telephone at the provided telephone

number and connecting the telephone to the conferencing system when the telephone goes off-hook [see Elliot; column7, lines 58-65. The same motivation that was used for claim 24 is also valid for this claim [see Jonsson in lines 23-26 of column 2]. By this rationale, **claim 26** is rejected.

Response to Arguments

6. Applicant's Request for Reconsideration filed on 12/16/2005 has been carefully considered but is not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention.

A. The Jonsson patent fails to disclose or suggest, the limitation of " requesting identification information from the participant, and connecting the participant to the conferencing system in response to the provided identification information." with respect to independent **claim 19**.

B. Applicant contends that Claims 24 and 26 are traversed because of the rejection of claim 19.

As to "Point A" it is the position of the Examiner that Jonsson in detail teaches the limitations of the above mentioned claims. Jonsson specifically teaches the limitation of " requesting identification information from the participant, and connecting the participant to the conferencing system in response to the provided identification

information." There are at least two sections in the prior art that describe how this scenario takes place.

First in column 5, lines 39-52, Jonsson discloses *"At step 214, if an invitee calls the personal telephone number during the session, then the conference service node (101) generates an alert message, which notifies the session administrator (e.g., via a terminal monitor) that the invitee is waiting to join the session. If, however, the caller is not an invitee, at step 215, that call can be disregarded (if the telemeeting administrator so desires). At step 216, the telemeeting administrator can introduce the waiting invitee(s) to the conference at an appropriate time. At step 218, the telemeeting administrator can then connect (e.g., by pushing on a button or clicking on a hyperlink) the new participant(s) to the conference. In response, the service node (101) directs the switch (e.g., 102 for one group of participants) to connect the calling participant(s) into the conference."* In order for the conference to either accept or disregard the invitee waiting to join the session, the invitee must provide its identifier to the conference administrator, which in turn can then connect the invitee based on said identifier.

Second, in column 6, lines 9-26, Jonsson teaches *"Alternatively, instead of receiving a temporary telephone number (URL, etc.) in an "invitation" message, a party can receive a personal number in the "invitation" message. Consequently, the party can call that personal number and be connected automatically by the service node and switch to the session. This method and the above-described method of receiving and calling a personal number (URL, etc.) after using the temporary number in the*

"invitation" message, can be automated by logic executed in a user's (e.g., an invite's) mobile terminal. Additionally, the user of the mobile terminal can respond to the "invitation" message with a reference number for a fixed terminal which will ultimately be used for the communication with the conference. Subsequently, the conference manager can use the submitted reference number to set up a connection between the fixed terminal and the conference. A method for using a mobile terminal for obtaining such services (conferencing, etc.) with a fixed terminal by remote control is described in commonly-assigned U.S. patent application Ser. No. 08/705,851." Clearly, the reference number for the fixed terminal here is provided by the mobile user in order to request access to join the session as a conference participant.

As to "Point B", see point A above. Appellant is encouraged to also review prior art reference of Wilson, US Patent No: 6,192,119 in light of this invention and specifically with respect to point A.

Examiner notes with delight that no new matter has been added and that the new claims are supported by the application as filed. However, applicant has failed in presenting claims and drawings that delineate the contours of this invention as compared to the cited prior art. Applicant has failed to clearly point out patentable novelty in view of the state of the art disclosed by the references cited that would overcome the 102(e) anticipation and the 103(a) rejections applied against the claims, the rejection is therefore sustained.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2143

8. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

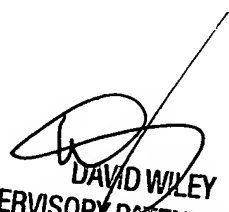
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG 

February, 28 2006